

U.S.A. vs

Omar Hernandez

No.

08cr0632-BEN

The Court finds excludable delay, under the section indicated by check ( ☒ ),  
commenced on 3/24/08 and ended on 6/16/08; (X7, XT6)  
and ended on \_\_\_\_\_.

- 3161(h)  
☐ (1) (A) Exam or hrg for mental or physical incapacity  
☐ (1) (B) NARA examination (28:2902)  
☐ (1) (D) State or Federal trials or other charges pending  
☐ (1) (E) Interlocutory appeals  
☐ (1) (F) Pretrial motions (from flg to hrg or other prompt dispo)  
☐ (1) (G) Transfers from other district (per FRCrP 20, 21 & 40)  
☐ (1) (J) Proceedings under advisement not to exceed thirty days  
☐ Misc proc: Parole or prob rev, deportation, extradition  
☐ (1) (H) Transportation from another district or to/from examination or hospitalization in ten days or less  
☒ (1) (I) Consideration by Court of proposed plea agreement  
☐ (2) Prosecution deferred by mutual agreement  
☐ (3) (A) (B) Unavailability of defendant or essential witness  
☐ (4) Period of mental or physical incompetence of defendant to stand trial  
☐ (5) Period of NARA commitment or treatment  
☐ (6) Superseding indictment and/or new charges  
☐ (7) Defendant awaiting trial of co-defendant when no severance has been granted  
☐ (8) (A) (B) Continuances granted per (h) (8) -use "T" alone if more than one of the reasons below are given in support of continuance  
☐ (8) (B) (I) 1) Failure to grant a continuance in the proceeding would result in a miscarriage of justice and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial.  
(Continuance - miscarriage of justice)  
2) Failure to grant a continuance of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted.  
(Continuance - tendered a guilty plea)  
☒ (8) (B) (ii) 2) Case unusual or complex  
☐ (8) (B) (iii) 3) Indictment following arrest cannot be filed in thirty (30) days  
☐ (8) (B) (iv) 4) Continuance granted in order to obtain or substitute counsel, or give reasonable time to prepare  
(Continuance re counsel)  
☐ 3161(I) Time up to withdrawal of guilty plea  
☐ 3161(b) Grand jury indictment time extended thirty (30) more days

Date

3/24/08

WMC  
Judge's Initials

A  
B  
C  
D  
E  
F  
G  
H  
6  
7  
I  
M  
N  
O  
P  
R  
T  
T1  
T2  
T3  
T4  
U  
W